

Council Minutes

Tuesday, November 12, 2019 – 7 PM • Community Hall

Item	Presented By:	Action	Topic	Report
Pledge of Allegiance & Roll Call	Mayor Stefan Densmore			Mayor Densmore called the meeting to order at 7:00 PM EST. All members present except Mrs. Dubose. Motion to excuse Mrs. Dubose by Mr. Boettcher Second by Mr. Kneipp All in favor.
Set the Agenda & Adopt	Mayor Densmore	Review & Motion		Motion to approve the agenda by Mr. Marx Second by Mr. Boettcher. All voted in favor.
Persons Registered to Address Council	Resident/Visitor	None	<ul style="list-style-type: none"> Dorothy Billups Matthews, 6431 Mayflower Ave. 	<ul style="list-style-type: none"> Property Issues - Ms. Billups Matthews stated that she has recurring property issues related to the removal of a fence by a neighbor. Mayor Densmore has reached out to her to personally work with her on the issue.
Minutes to be Approved	Andy Lanser	Review & Motion	Previous meeting minutes.	October 28, 2019: Click to review or download: Motion to approve the October 15, 2019 Council minutes by Mr. Marx Second by Ms. Chaney All voted in favor.
Departments/Committees				
Mayor	Mayor Densmore	Report & Announcements	Report	<ul style="list-style-type: none"> Thanks to the residents, supporters, and volunteers for passing Issue 4 – Tax Levy Renewal A special thanks to Sandy Foglesong, Elaine Moscovitz, Steve Simiele, Sharon Chaney, and Matt Boettcher for their work to help secure the passage of the levy renewal. Sgt. Ryland Reed received a Letter of Commendation from the Mayor for his life saving actions during a traffic stop for a driver experiencing a health emergency.

LMFR Fire District	Chief Jim Puthoff	Report	Report	None
Solicitor	Terry Donnellon, Solicitor	Legislation & Discussion	Report	None
Executive Committee	Lou Marx	Report	<p>Rental Inspection Program</p> <p>Vacant Building Ordinance</p> <p>2020 Census</p>	<p>Executive Committee met this evening. Full minutes are here.</p> <p>Highlights:</p> <p>Mr. Donnellon presented a draft ordinance for the proposed rental property inspection program. The language of the proposed ordinance will be updated to reflect the unique needs of the Village. Specifically, the language will be updated so that the proposed ordinance will apply both to single family rental units and multi-family units. In addition, the updated language will include the requirement for an inspection following tenant turnover of a unit and/or when an inspection is requested by the tenant.</p> <p>There has been a generalized non-compliance among the property owner's whose properties were identified as vacant despite several attempts by Administration to increase compliance. This situation has resulted in Administration recommending that a criminal penalty component be added to the language of the ordinance. Specifically, an update to the definition of the ordinance's definition of "vacant property." Mr. Donnellon make this update and have an amended ordinance for the Executive Committee to review at the next Executive Committee meeting.</p> <p>Mr. Lanser will be reaching out to members of Council and leaders in the Village Community concerning the development of the Village's Census strategy. The Census projects the Village to have a Census non-participation rate of 25-30%. The lack of participation will have a detrimental effect on the amount of benefits the Village and residents will receive because federal funding for benefit programs and transportation are based upon Census information. As a result, it's imperative the Village develop a plan to ensure hard-to-contact populations of the Village are aware of and participating in the 2020 Census.</p>

Education	Sharon Chaney	Report		<ul style="list-style-type: none"> • PRM LSDMC will meet on 11/13/19 at 4:00 pm.
Fire District	Lou Marx	Report		<ul style="list-style-type: none"> • LMFR Fire Board meets Wednesday, November 20, 2019 - 6 PM, at Fairfax. • The Mayor of Fairfax, Carson Shelton, was re-elected. Mayor Shelton also serves as the President of the Board for the LMFR.
Planning Commission	Matt Boettcher	Report		<ul style="list-style-type: none"> • Next Planning Commission meeting on Monday, December 2, 2019 pending any business.
Recreation Commission	Steve Simiele	Report		<ul style="list-style-type: none"> • Next scheduled Recreation Commission meeting Wednesday, November 20, 2019 @ 7 PM. • Continue planning for next event breakfast w/ Santa 12/14 9 am.
Finance Committee	Matt Boettcher	Report		None.
Discussion				
New Business	Mr. Hirth	Discussion		<ul style="list-style-type: none"> • New Council Inauguration on December 9th, 2019. For new Council members, please identify the individual you would like to swear you in. Also, family and friends are welcome and there will be a reception following the Council meeting.
Old Business			<p>Discussion of proposed ORD 2019-10: An Ordinance to Combat Discrimination and for the Guarantee of Equality and Inclusion</p> <p>Alana Jochum, Equality Ohio</p>	<ul style="list-style-type: none"> • Opening Statements - Ms. Jochum stated that she and her organization, Equality Ohio, were pleased to be working with Council for over a year on this proposed ordinance. It is her hope that this evening would bring clarity to both the Council and to the Village's religious institutions about the exemptions under consideration this evening. Ms. Jochum stated that the proposed ordinance as constructed is not controversial to pass as other communities across the State have recently done so. She further stated that the proposed ordinance recognizes that discrimination exists, and this ordinance provides a remedy for those who experience a form of discrimination that isn't addressed as fully as it could be by federal and state law. Last, Ms. Jochum stated that she believes that there is not significant disagreement between her

			<p>Rabbi Motzen</p> <p>organization and the representatives from the local religious community.</p> <p>Rabbi Motzen, stated that the Orthodox Jewish Community has lived in the Village for over 60 years. During this time the Community has thrived and developed great relationships with the Village. Rabbi Motzen stated that he was surprised initially when the ordinance was first proposed. Rabbi Motzen was told that the goal of the proposed ordinance was to make a strong statement of inclusivity for the Village by extending protections to the LGBT residents of the Village. Rabbi Motzen further stated that if this is the goal, then the infringement of the rights of the Orthodox community would also be a statement. Rabbi Motzen further stated that he and the Orthodox community support all acts of compassion for all people. Rabbi Motzen requested that an exemption be made for religious organizations like the exemption that was included in the City of Cincinnati's ordinance. In the opinion of Rabbi Motzen, anything less than a full religious exemption will threaten the Orthodox Jewish community's ability to practice their religious rights resulting in a chilling effect on their ability to practice their faith. Rabbi Motzen was joined by Judge Kurt Hartman, and Tom Kidd of the Alliance Defending Freedom (AFD).</p> <p>Mayor Densmore</p> <p>It was the wish of Mayor Densmore to use this session as an opportunity to discuss the proposed amendments of the proposed ordinance from the perspective of both groups, Equality Ohio and the Orthodox Jewish Community. During this discussion both sides will be provided ample time to discuss and debate the amendments from their perspectives.</p> <p>Alana Jochum, Equality Ohio</p> <ul style="list-style-type: none"> • In reply to Rabbi Motzen's opening comments, Ms. Jochum stated that people have shared their experiences of discrimination including a story by a member of this Council. Unfortunately, many individuals who have experienced discrimination do not like sharing it. It is Ms. Jochum's hope however that the protections contained in the proposed ordinance codified in the State and Federal levels, but this has not happened. As a result, it is Ms. Jochum's opinion that since this is the current environment it is incumbent on local municipalities to fill this legal void. Furthermore, religious exemptions do exist as part of current State and Federal constitutions, however.
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			Judge Kurt Hartman	As a point of clarification Judge Hartman asked Ms. Jochum where and when instances of anti-LGBT discrimination occurred in the Village. Judge Hartman continued that in the absence of these instances occurring here, isn't it a great message to say to the broader community that these instances don't happen in the Village of Golf Manor and as a result the Village doesn't need an ordinance such as the one under consideration.
			Alana Jochum, Equality Ohio	Ms. Jochum responded that individuals who may face or have faced discrimination for their gender identity or sexual orientation may not be their full selves absent certain protections under the law.
			Judge Kurt Hartman	Judge Hartman questioned Ms. Jochum if Equality Ohio has any reports of LGBT discrimination in the Village?
			Alan Jochum, Equality Ohio	Ms. Jochum stated that she doesn't have with her this evening precise information from the Village but ensured that anti-LGBT discrimination is pervasive in the State of Ohio.
			Terry Donnellon	Mr. Donnellon interjected. The purpose of this evening is to review and discuss the merits of the 6 amendments to the proposed ordinance, not a general debate of the necessity of the proposed ordinance.
			1 st Proposed Amendment	<p>1st amendment: Housing accommodations: Housing operated by a religious organization for religious purposes would be exempted. Properties held by a religious organization for commercial purposes would not be exempt in renting or offering to rent those properties. Ms. Jochum supports this language and reflects current state and federal law.</p> <ul style="list-style-type: none"> • The 1st Amendment to the NDO is a very specific exemption drawn from the Medina Ordinance as it applies to Section II Housing Discrimination. The exemption was requested by Rabbi Motzen. • Judge Hartman questioned whether the language of the exemption of the proposed Amendment would include properties used for commercial purposes of the Orthodox Jewish Community? According to Judge Hartman the Courts will attempt to determine intent of the

			2 nd Proposed Amendment	<p>exemption based upon the language of the amendment. It is not clear based upon a reading of the language of the proposed amendment that the exemption would include properties used for commercial purposes to Judge Hartman.</p> <ul style="list-style-type: none"> • Mr. Donnellon stated that the general intent of the proposed ordinance would recognize this exemption as a qualified exemption. He states that there will be three readings of the proposed ordinance that will provide opportunities to modify the language. Mr. Donnellon reiterated that this is not the purpose of the meeting this evening to redraft each section but to review each section for consensus. • The 2nd proposed amendment pertains to public accommodation and the language is drawn from the Medina Ordinance. • Rabbi Motzen is concerned that this amendment would divide the goods and services produced by a religious organization from the facilities used to produce the goods and services since the organization owns several properties that are not used for regular worship or educational facilities. In the opinion of Rabbi Motzen, he would prefer a broader generalized religious exemption be added to the proposed ordinance like what was added to the City of Cincinnati's ordinance. Furthermore, Rabbi Motzen voiced a concern that the proposed amendment if added would limit their ability to pursue grants that they are qualified to pursue. Judge Hartman cited the case of State of Missouri vs. Trinity Lutheran as an example that was struck down by the courts of a similar limitation placed on a religious organization. • Ms. Jochum stated that she believes that her and Rabbi Motzen agree that a bake sale opened to the public would require that organization to sell their good or product to all in public. However, Ms. Jochum stated that her organization would like to restrict the ability organizations providing programs that receive tax dollars to discriminate since they are receiving public funding. There is a disagreement between the two groups over the second section of the proposed amendment regarding facilities. Ms. Jochum believes that Rabbi Motzen's fears about public accommodation in facilities to force the Orthodox Jewish Community to rent their properties to people
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			3 rd Proposed Amendment	<p>outside their faith are unfounded. In her opinion, nothing in the proposed ordinance would require this.</p> <ul style="list-style-type: none"> • Rabbi Motzen objected to this amendment and stated that his organization would prefer a broader definition of a facility. • Mr. Donnellon suggested a redefinition of “commercial purpose” which may help address Judge hartman’s concerns and would define this language in all exemptions. • The 3rd proposed amendment would modify Section V of the proposed ordinance that prohibited discriminatory practices related to Educational Institutions. In the opinion of Mr. Donnellon the proposed amendment recognizes that a school can be operated as a same-sex school, and a school can be operated as a religious denominational school without being charged with discrimination and does not provide any broader exemption than what is already recognized under federal and constitutional law or is any broader than what is already in Section V of the proposed ordinance. • Rabbi Motzen wanted to ensure that the language of the current amendment would provide them with discretion to enact school admission decisions based upon religious orthodox beliefs. • Ms. Jochum stated that her organization doesn’t oppose the language of the text already in the ordinance.
			4 th Proposed Amendment	<ul style="list-style-type: none"> • The 4th amendment also relates to educational institutions found in the Section V (B). This amendment would define “educational institution” very broadly which may extend beyond just the restriction against discrimination in education, potentially excluding a religious school from complying with any of the other requirements of the Ordinance, including any employment restrictions.
			5 th Proposed Amendment	<ul style="list-style-type: none"> • The 5th proposed amendment pertains to employment discrimination and modifies the proposed ordinance found in Section III (B) (1). The current exemption provides a general exception for religious organizations to base employment decisions for those positions that carry on its religious activities.

			<p>6th Proposed Amendment</p> <ul style="list-style-type: none"> • Rabbi Motzen would prefer an amendment that is drawn from the Medina Ordinance that removes the word “religious” from religious activities. This would extend the exception to employment decisions for religious organizations to include both the staff that fulfill the organization’s religious mission as well as secular positions within the religious organization. • Ms. Jochum stated that religious organizations can have employment contracts to bind secular individuals with certain tenants of the faith of the organization. Furthermore, these employment contracts have been consistently upheld by the Courts. • Mr. Donnellon stated that the language limiting the exemption to its activities appears to be acceptable to all sides. • Section III(B)(7) pertains to the burden of proof. In question is whether the Respondent should be required to prove a religious exemption when claiming an Affirmative Defense or is it the responsibility of the Complainant to prove that the exemption is not applicable in their situation. The current language of the proposed ordinance requires the Respondent have the burden of proof. • Ms. Jochum stated that the current language of the proposed ordinance is standard burden of proof language and does not oppose it was currently written. • Judge Hartman stated that traditional the burden of proof is on the government to justify its actions like the requirements for a search and seizure. • Mr. Donnelon pointed out that this is not a criminal ordinance, but a vehicle to allow private parties to resolve their differences. <p>Council Questions</p> <ul style="list-style-type: none"> • Mr. Kneipp requested that the parties define affirmative defense. Mr. Kneipp wanted to ensure that the accused doesn’t have to prove they are innocent. To Mr. Kneipp this is the reverse of a normal and fair process that is practiced in other areas of the law.
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			<p>Shimon Bachrach, 7339 Elbrook Ave.</p> <p>Karen Zanger, 8015 Deersadow Lane</p>	<ul style="list-style-type: none"> • Ms. Jochum explained an affirmative defense by providing the example of a bake sale. According to Ms. Jochum if an organization is selling cupcakes but deny a sale of cupcakes to a same sex couple and that couple files a complaint, the religious organization who performed the bake sale could state they have an affirmative defense if the bake sale was not open to the public and therefore not a commercial activity. • Judge Hartman stated that an affirmative defense was a legal tool used to avoid liability. According to Judge Hartman an example would be where an individual admitted to performing “X” activity, but because of “Y” is no longer liable. Here “Y” would be the affirmative defense. • Council members debated affirmative defenses and burden of proof. <p>Motion for brief recess by Mr. Marx Second by Mr. Van Harn All in favor.</p> <p>Public Comment:</p> <ul style="list-style-type: none"> • Mr. Bachrach is the Current President of the Board of Trustees at the Hebrew Day School. Mr. Bachrach commended the Police Department for their continued support at the school. Mr. Bachrach stated that the non-discrimination ordinance is something that he takes very seriously. However, Mr. Bachrach doesn’t believe that the proposed ordinance is necessary at this time and appreciates Rabbi Motzen for all the work he has performed on this topic. If the proposed ordinance is passed, Mr. Bachrach would support the addition of a very broad religious exemption. • Ms. Zanger stated that she is not a resident of the Village but has a concern for opportunities where change occurs for families, and whether that change can be embraced by the Orthodox community. Ms. Zanger is one of five children, 2 of whom are gay. That experience has broadened the view of their family. The Orthodox community needs to determine whether those children, some from their own
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				community, are loved or not. Ms. Zanger would encourage the school to closely define what gender is, whether that would be a pleasant experience when thinking about their own children.
			Kelly Pendergraft, 7470 Stover Ave.	Ms. Pendergraft thanked Council for allowing her to speak. Ms. Pendergraft stated that she and her wife are long-time residents of the Village and active in the community. Ms. Pendergraft believes the Village is a rare glimpse into the diversity of the region and she likes it this way. Ms. Pendergraft and her wife found the community welcoming and comforting as a lesbian couple. Ms. Pendergraft cannot imagine someone not being welcomed into the Village based on who they love. Similar ordinances have been passed in surrounding communities, and Ms. Pendergraft believes that if Council fails to pass this ordinance that act will send a message to all residents and visitors that people aren't welcome in the Village just because of who they are.
			Steve Simiele, 2626 Canterbury Ave.	Mr. Simiele stated that this proposed ordinance is an opportunity to provide recourse for members of the community who currently have no means to that. Mr. Simiele stated that if there is no means of recourse for discrimination, how would anyone know if that discrimination has occurred. Mr. Simiele advised Council to keep this in mind when evaluating the proposed ordinance.
			Elaine Moscovitz, 2426 Canterbury Ave.	Ms. Moscovitz began by asking Mr. Donnellon whether the main purpose of the ordinance is to address complaints when they occur, or will there be regular documentation required from small businesses in the Village? Mr. Donnellon stated that no small business in the Village would be required to maintain and submit relevant documentation. Ms. Moscovitz continued by stating that some council members are in active communication with businesses in the Village stating that burdensome requirements will be placed on them should the Ordinance be passed. However, she stated that 95% of the larger Jewish community are accepting of the LGBT people of Hamilton County. On election day she submitted information to voters about the ordinance. Ms. Moscovitz's time ended.
			Shifra Motzen, 2179 Bluegrass Lane	Ms. Motzen stated she is the wife of Rabbi Motzen. Furthermore, she stated that she agrees with everything her husband has said this

			<p>Thomas Kidd, 8913 Cincinnati- Dayton Road.</p>	<p>evening, and it is her hope that both groups can come to wonderful conclusion that fulfills the needs and wants of everyone.</p> <p>Mr. Kidd is a partner at Kidd and Erling as well as the Alliance Defending Freedom (ADF). Mr. Kidd stated that he is one of 3,000 attorneys of the ADF network. Mr. Kidd stated that he believes that everyone should be treated with dignity and respect, and his organization advocates for every person's fundamental right to express their freedoms, specifically the freedom of speech, religion, and conscience. Mr. Kidd further stated that he has argued a case regarding Title 7, and it is the belief of the ADF that his organization will prevail in this case. As for the proposed ordinance, Mr. Kidd told Council that his organization is opposed to the ordinance. Despite their opposition here, Mr. Kidd's organization is opposed to discrimination. Mr. Kidd reiterated that there have not been any documented instances of discrimination in the Village. For Mr. Kidd this questions the need for such an ordinance. For Mr. Kidd the concerns raised by the Orthodox Jewish community of the Village give extra weight to this point. Mr. Kidd concluded by stating his opinion that the proposed ordinance does not provide exemptions for employers who have three or more employees and that only tolerance and respect for each other in good faith is how we will survive in a pluralistic society.</p>
			<p>Rabbi David Spetner, Director of Cincinnati Community Kohlel</p>	<p>Rabbi Spetner stated that he has been involved in the community for a long time. He further stated that most of the employees of his organization live in the Village and pay taxes to the Village. Rabbi Spetner believes that the Village is on the right track and supports the full religious exemption.</p>
			<p>Jacklyn Martin, 6216 Bona Vista Place</p>	<p>Ms. Martin supports Equality Ohio and their position on the Village's proposed ordinance. Ms. Martin doesn't want Golf Manor to be left behind in an evolved world. For Ms. Martin, passage of the proposed ordinance will be uncomfortable at first for many, but it is time to pass it.</p>
			<p>Kevin Murphy, 2326 Section Road.</p>	<p>Mr. Murphy stated that his friends invited him to attend the meeting because it would be interesting. For Mr. Murphy the proposed ordinance is not controversial. Mr. Murphy stated the proposed ordinance is merely adding the kinds of protections that are already</p>

			<p>Simon Groner, 10170 Crosier Lane</p> <p>Scott Knox, 13 E Court St.</p> <p>Closing Statements</p> <p>Alana Jochum, Equality Ohio</p>	<p>enjoyed by the Orthodox Jewish community which is equal and fair treatment. For Mr. Murphy the passage of the proposed ordinance is a “no-brainer.” Mr. Murphy agrees that there should be protections for both the Orthodox Jewish community and the LGBT community.</p> <p>In reply to the statement made by Mr. Murphy, Mr. Groner stated that Mr. Murphy had misunderstood the position of the Orthodox Jewish community in that the Orthodox Jewish community is not ambivalent to the discrimination felt by other people, instead their position is that they want protections for all people. And it is for this reason why a broad religious exemption should be considered. Mr. Groner then cited without such an exemption, the local school, limited in resources and staff, will have difficulty performing its daily operations. Mr. Groner recommends that Council pass the proposed ordinance with the exemption and amend it later if necessary.</p> <p>Mr. Knox is an attorney who specializes in LGBT rights and has been involved in several prominent cases. Mr. Knox stated that he has repeatedly heard well intentioned people say that LGBT discrimination isn’t an issue because it’s not spoken widely about. Mr. Knox stated that this is because there isn’t a formal process to adjudicate these instances. Mr. Knox has represented a dozen individuals under the City of Cincinnati’s ordinance, and he would not have been able to represent them had that ordinance not been in place. According to Mr. Knox in none of those cases has he ever filed a claim, the reason being is that most employers want to do the right thing and work out the issue with the employee. Mr. Knox stated that these types of ordinances give people the leverage to do something about the discrimination they experience.</p> <p>Closing statements:</p> <p>Ms. Jochum thanked everyone in attendance. She stated that the Village had been considering protections to residents and visitors of the Village for some time. According to Ms. Jochum the purpose of this proposed ordinance is to protect LGBTQ individuals, who until now have limited rights at the state and federal levels. Ms. Jochum is excited about the opportunity to help the Village and residents in this</p>
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			<p>Rabbi Motzen</p> <p>Roger Van Harn</p> <p>Lou Marx</p> <p>Danny Kneipp</p>	<p>area and hopes that a religious exemption could be added to the proposed ordinance that is consistent with state and federal law.</p> <p>Rabbi Motzen also thanked everyone in attendance. Rabbi Motzen reiterated that the most important thing for the Village is to strongly believe everyone in the Village deserves love, dignity, and respect, and to reject discriminating against anyone.</p> <p>Mr. Van Harn stated that he is proud of the community and that the meeting's conversation exhibited the capability of having a civil discussion with wonderful people. For Mr. Van Harn the meeting helped clarify a lot of things. Mr. Van Harn stated that he is not opposed to the proposed ordinance but wanted to get it right for the Village. Still he has challenges with the proposed ordinance. For Mr. Van Harn religious institutions shouldn't be looked at as a privilege, instead he stated that religion is a freedom. Mr. Van Harn stated that it is a little offensive to him to call certain positions within a religious institution as secular. According to Mr. Van Harn no position in a community like this can be demeaned by reducing it to a secular position. Mr. Van Harn believes a religious exemption is appropriate and fit for Golf Manor.</p> <p>Mr. Marx thanked everyone for attending. Mr. Marx stated that the Rabbi is the most lawyerly non-lawyer he has ever met. Mr. Marx also stated that he has been involved in this process from the beginning and looks forward to moving the proposed ordinance forward. Mr. Marx appreciates everyone's opinion.</p> <p>Mr. Kneipp stated that he found it interesting how an entire community can come together in a time when politics seems to come from the extremes of both side and have a civil discussion. Mr. Kneipp's big takeaway was that everyone is wanting to do the right thing. Mr. Kneipp is proud of the process, and for him it comes down to protecting the Constitution first, and then looking at what's appropriate for the community. Mr. Kneipp stated that he wants to represent everyone in the community as best he can and wants to make sure the proposed ordinance is fair to both sides. Mr. Kneipp also stated that he has learned a lot from both sides and is happy to be</p>
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			<p>Sharon Chaney</p> <p>Matthew Boettcher</p> <p>Terry Donnellon</p>	<p>part of the process most days. Mr. Kneipp concluded by affirming his position that he is in favor of a broad religious exemption.</p> <p>Ms. Chaney thanked everyone for staying late. Ms. Chaney recalled being on Council for 18 years and has never had a council last as long as the one this evening did. Ms. Chaney found the meeting to be very informing. Ms. Chaney stated that she and Rabbi Motzen have had a nice discussion after last meeting. Ms. Chaney also stated that Council is supposed to represent all in the community. In her discussion with Rabbi Motzen, she said that they had discussed employees at the school. Ms. Chaney is willing to add a religious exemption. Ms. Chaney asked if Rabbi Motzen could add an employment agreement or contract for employees to ensure all parties are aware that a religious exemption exists.</p> <p>Mr. Boettcher said that most who attended this meeting are aware of his position on the proposed ordinance, and that the outcome of this will affect him, his partner, and the Village. Mr. Boettcher stated that the proposed ordinance needs to get passed. Mr. Boettcher also stated that he himself has experienced discrimination and he didn't have a resource or a voice at the time. Mr. Boettcher is grateful for organizations like Equality Ohio. Mr. Boettcher also said that he was grateful for Rabbi Motzen's organization and the vibrancy they bring to the Village. Mr. Boettcher concluded by stating that communities need to be proactive in addressing these challenges.</p> <ul style="list-style-type: none"> • Mr. Donnellon reviewed the status of each proposed amendment <p>Have agreement on 1st amendment to NDO and 5th, and striking language in the 3rd.</p> <ul style="list-style-type: none"> • Mr. Donnellon stated that there is agreement by both parties on the 1st Amendment and the 5th Amendment. And there was an agreement between the parties to strike the language of the 3rd Amendment. <p>Motion to include 1st amendment by Mr. Boettcher, Second by Mr. Marx All in favor.</p>
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				<p>Motion to amend the 5th amendment by Mr. Marx Second by Mr. Boettcher All in favor.</p> <p>Motion to add the second part of the first amendment to the text and add definition of “commercial” by Mr. Marx Second by Ms. Chaney All in favor</p> <p>Motion to keep all three references to “facilities” in the second amendment by Mr. Van Harn Second by Mr. Kneipp All in favor</p> <p>Motion to change chapter to section in the 4th Amendment by Mr. Marx Second by Mr. Van Harn All voted in favor except Mr. Kneipp. Mr. Van Harn abstained.</p> <p>Motion to include 6th amendment by Mr. Boettcher Second Mr. Marx All voted in favor except Mr. Kneipp.</p> <p>Motion to bring proposed ordinance for 1st reading at the Nov 25th Council Meeting by Mr. Marx Second by Mr. Boettcher. Discussion: It is the goal of Mr. Donnellon to have the updated language of the proposed ordinance available to members of Council as soon as possible in order to ensure each Council member has enough time to review the document.</p> <p>Roll call Vote: Mr. Boettcher: Yes Ms. Chaney: Yes Mr. Kneipp: No Mr. Marx: Yes Mr. Van Harn: No Motion passes.</p>
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Announcements				
Adjourn				Motion to adjourn at 10:15 PM EST by Mr. Marx Second by Ms. Chaney All members voted in favor.

_____ Date: _____
 Submitted by Andy Lanser, Fiscal Officer

_____ Date: _____
 Stefan C. Densmore, Mayor

_____ Date: _____
 Anna Gedeon, Asst. Clerk